



UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL COOK,

Defendant.

2:10-CR-061-ECR (PAL)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on October 14, 2010, defendant MICHAEL COOK pled guilty to a One - Count Criminal Indictment charging him with Archaeological Resources Protection Act ("ARPA") in violation of Title 16, United States Code, Section 470ee(a) and (d).

This Court finds defendant MICHAEL COOK agreed to the forfeiture of property set forth in Forfeiture Allegation of the Criminal Indictment.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant MICHAEL COOK pled guilty.

The following asset is subject to forfeiture pursuant to Title 16, United States Code, Section 470gg(b):

- (a) a rock panel petroglyph depicting seven sheep taken from the Spring Mountain National Recreation Area.

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1 This Court finds the United States of America is now entitled to, and should, reduce the
2 aforementioned property to the possession of the United States of America.

3 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
4 United States of America should seize the aforementioned property.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
6 MICHAEL COOK in the aforementioned property is forfeited and is vested in the United States of
7 America and shall be safely held by the United States of America until further order of the Court.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
9 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
10 website, www.forfeiture.gov, or at least once a week for three successive weeks in a newspaper of
11 general circulation, notice of this Order, which shall describe the forfeited property, state the time
12 under the applicable statute when a petition contesting the forfeiture must be filed, and state the name
13 and contact information for the government attorney to be served with the petition, pursuant to Fed.
14 R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
16 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
18 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
19 following address at the time of filing:

20 MICHAEL A. HUMPHREYS
Assistant United States Attorney
21 DANIEL D. HOLLINGSWORTH
Assistant United States Attorney
22 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
23 Las Vegas, Nevada 89101.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 20 day of OCTOBER, 2010.

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9 UNITED STATES DISTRICT JUDGE
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I, Alexandra M. McWhorter, certify that the following individuals were served with copies of the Preliminary Order of Forfeiture on October 19, 2010 by the below identified method of service:

Rachel M. Korenblat
Federal Public Defender
Suite 250
411 E. Bonneville Ave.
Las Vegas, NV 89101
Email: ECF_Vegas@FD.ORG
Counsel for Michael Cook

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